

Message Text

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ACTION DLOS-06

INFO OCT-01 EA-07 ISO-00 OES-06 EB-07 SP-02 L-03 IO-13
SS-15 FEA-01 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01
CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00 EPA-01
ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 JUSE-00
NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-04 PRS-01
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FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC 9467

C O N F I D E N T I A L CANBERRA 8881

E.O. 11652: GDS

TAGS: PLOS, AS

SUBJ: STRATEGY FOR INTERSESSIONAL CONSULTATIONS OF LAW OF THE SEA

REF: STATE 298001

1. FOLLOWING RESPONSES ARE KEYED TO QUESTIONS POSED IN PARA
3 REFTEL.

2. GOA DECISIONS ON LOS MATTERS ARE TAKEN AT THE CABINET LEVEL.
KEY DECISION MAKER ARE PRIME MINISTER FRASER, FOREIGN MINISTER
PEACOCK, MINISTER FOR PRIMARY INDUSTRY SINCLAIR; MINISTER FOR
NATIONAL RESOURCES AND OVERSEAS TRADE ANTHONY, MINISTER FOR
TRANSPORTATION NIXON, DEFENSE MINISTER KILLEN, AND ATTORNEY
GENERAL ELLICOTT. SUBMISSIONS TO CABINET ARE PREPARED BY AN
INTER-AGENCY TASK FORCE ON LOS. THE MEMBERSHIP OF THIS GROUP
CHANGES FROM TIME TO TIME, BUT ITS KEY MEMBERS REPRESENT THE
GOA AT LOS CONFERENCES. DFA HAS ALSO RETAINED E. LAUTERPACHT
Q.C. AS ITS LEGAL ADVISOR ON LOS MATTERS.

3. THERE ARE INPUTS FROM THE MILITARY AND THE BUSINESS AND
ACADEMIC COMMUNITY, BUT THEY ARE NOT SIGNIFICANT. INPUTS
FROM ARIOUS DEPARTMENTS GENERALLY REPRESENT THE VIEWPOINTS
OF THOSE SEGMENTS OF THE AUSTRALIAN COMMUNITY WITH WHICH EACH
RESPECTIVE DEPARTMENT DEALS. THE AUSTRALIAN GOVERNMENT GENERALLY
RELIES UPON ITS CIVIL SERVANTS FOR ADVICE ON LOS MAT-

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TERS.

4. THE GOA GENERALLY TENDS TO CONCENTRATE ITS LOS EXPERTISE IN ITS DELEGATION BUT CRUCIAL DECISIONS ARE REFERRED TO CANBERRA FOR CLEARANCE BY THE GOA'S LOS TASK FORCE AND/OR THE CABINET.

5. GOA IS A CLOSE ALLY OF THE US AND WILL COOPERATE AS FAR AS POSSIBLE WITH US ON SPECIFIC ISSUES. HOWEVER, AS DEPARTMENT IS AWARE GOA HAS TAKEN POSITIONS ON VARIOUS LOS MATTERS WHICH DO NOT ENTIRELY ACCORD WITH US VIEWS- BASELINES AND OUTER CONTINENTAL SHELVES, ARE TWO EXAMPLES WHICH COME TO MIND.

6. IN OUR VIEW, THE MOST EFFECTIVE WAY TO WORK WITH THE GOA ON LOS MATTERS WOULD BE TO HAVE KEY MEMBERS OF THE US LOS TEAM VISIT AUSTRALIA FOR TWO OR THREE DAYS OF DISCUSSIONS WITH GOA'S INTER-AGENCY LOS TASK FORCE EARLY NEXT YEAR. THIS, COUPLED WITH CLOSE CONTACT WITH GOA'S LOS DELEGATION AT THE CONFERENCE ITSELF, SHOULD INSURE CLOSE US-GOA COOPERATION. WE DO NOT RPT NOT BELIEVE VISITS BY DEPARTMENT OFFICIALS FROM THE EA BUREAU TO CANBERRA WOULD BE AS HELPFUL AS TALKS IN CANBERRA BETWEEN EXPERTS PRIOR TO THE CONFERENCE.
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